

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

Chapter 7

-----X Case No. 12-73024 (reg)

In re

JEFFREY ST. CLAIR and CATHLEEN ST. CLAIR,

Debtors.

-----X

**NOTICE OF MOTION FOR ORDER  
TO EXTEND TIME TO OBJECT TO DISCHARGE**

PLEASE TAKE NOTICE, that upon the annexed application of CADLES OF GRASSY MEADOWS II, L.L.C., dated August 16, 2012, by its attorneys Vlock & Associates, P.C., and the exhibits annexed thereto, the undersigned will move this Court, before the Honorable Robert E. Grossman, United States Bankruptcy Judge, at the courthouse located at 290 Federal Plaza, Central Islip, New York 11722, Room 860, on September 19, 2012, at 9:30 A.M., for an Order:

- a. Extending the time for filing a complaint objecting to discharge of the Debtor or to determine the dischargeability of debt to October 1, 2012; and
- b. For such other and further relief as the Court deems just and proper under the circumstances.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, shall be served so as to be received not later than 7 days before the hearing date set forth above.

Dated: New York, New York  
August 16, 2012

VLOCK & ASSOCIATES, P.C.  
Attorneys for Cadles of Grassy  
Meadows II, L.L.C.  
380 Madison Avenue, 22<sup>nd</sup> Floor  
New York, New York 10017  
(212) 557-0020

By: s/Stephen Vlock  
Stephen Vlock, Esq.

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re

JEFFREY ST. CLAIR and CATHLEEN ST. CLAIR,

Debtors.  
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TO THE HONORABLE ROBERT E. GROSSMAN  
UNITED STATES BANKRUPTCY JUDGE:

STEPHEN VLOCK, an attorney duly admitted to practice before this Court, under the penalties of perjury, affirms the truth of the following:

1. I am a member of the firm of VLOCK & ASSOCIATES, P.C., attorneys for CADLES OF GRASSY MEADOWS II, L.L.C. ("Cadles"), a creditor herein.
2. I am fully familiar with the facts and circumstances stated herein.
3. I make this affirmation in support of Cadles' motion, which seeks an Order:
  - a. Extending the time for filing a complaint objecting to discharge of the Debtor or to determine the dischargeability of debt to October 1, 2012; and
  - b. For such other and further relief as the Court deems just and proper under the circumstances.
4. On or about May 11, 2012, the Debtors filed a voluntary petition for relief under chapter 7, title 11 of the United States Code (the "Bankruptcy Code").
5. Upon information and belief, Richard L. Stern has been appointed as the Chapter 7 Trustee in this case.

6. On June 26, 2012, based on Cadles' application, this Court issued an Order directing the Debtors to appear for examination and to produce documents pursuant to Rule 2004. (Docket No. 17)

7. Your affiant scheduled the document production of the debtors for July 23, 2012, and the depositions of the debtors for August 6 and 7, respectively. On July 18, 2012, I received a call from the office of debtors' counsel, Narissa Joseph, Esq., requesting an adjournment of the depositions of the debtors for one week because Ms. Joseph was scheduled to be on vacation. We agreed to adjourn the depositions of the debtors to August 13 and 14, respectively. I prepared a Stipulation and emailed it to Ms. Joseph the same day. A copy of my email sent on July 18, 2012 is annexed hereto as Exhibit "A."

8. However, thereafter Ms. Joseph failed to sign the Stipulation, even though she was the one who requested and agreed to the adjournment. I called her office and spoke with her receptionist Tasha, who said she would leave a message for Ms. Joseph to call me. Yet, she did not return my call, or respond to 2 other emails which I sent to her requesting a response.

9. Your affiant thereafter realized that Ms. Joseph was most likely not responding because we had not included a subpoena but instead served notices regarding the examinations. Thus, instead of informing your affiant of the oversight, it appears Ms. Joseph resorted to the discourtesy of refusing to respond to telephone calls and emails.

10. Accordingly, when your affiant noticed the oversight, we immediately renoticed the document production and depositions of the debtors pursuant to Subpoenas dated August 6, 2012. Copies of the Subpoenas (without riders) are annexed hereto as Exhibit "B." Pursuant to the Subpoenas, the depositions of the debtors are scheduled for September 17 and 18, respectively.

11. Since, upon information and belief, the time to object to discharge or dischargeability expires on August 20, 2012, Cadles respectfully requests an extension of the time so that, after the examination is completed, Cadles can, if so advised, file the appropriate objections.

12. Therefore, CadleRock respectfully requests that the Court extend the time for filing objections to discharge or dischargeability until October 1, 2012 in order to complete discovery and provide sufficient time to obtain information concerning the Debtors' financial transactions and to make a determination as to whether to file a complaint objecting to discharge or to determine the dischargeability of debt.

13. It is also respectfully requested that the Court waive the submission of a memorandum of law as part of this application, as the issues involved herein are neither novel nor complex.

WHEREFORE, it is respectfully requested that this Court grant the instant application in its entirety, together with such other and further relief as the Court deems just and proper under the circumstances.

Dated: New York, New York  
August 16, 2012

s/Stephen Vlock  
STEPHEN VLOCK

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that on August 16, 2012, I caused a copy of the within NOTICE OF MOTION FOR ORDER TO EXTEND TIME TO OBJECT TO DISCHARGE and supporting papers, to be served by mail upon:

Narissa A. Joseph, Esq.  
277 Broadway, Suite 501  
New York, New York 10007  
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135 Pinelawn Road  
Suite 120 South  
Melville, New York 11747

United States Trustee  
271 Cadman Plaza East, Suite 4529  
Brooklyn, New York 11201

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: New York, New York  
August 16, 2012

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s/Stephen Vlock  
STEPHEN VLOCK